

GORDON H. DePAOLI
Nevada State Bar No. 00195
DALE E. FERGUSON
Nevada State Bar No. 4986
DOMENICO R. DePAOLI
Nevada State Bar No. 11553
WOODBURN AND WEDGE
6100 Neil Road, Suite 500
Reno, Nevada 89511
Telephone: 775 / 688-3000

Attorneys for WALKER RIVER IRRIGATION
DISTRICT

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	3:73-cv-00127-MMD-WGC
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	STIPULATION AND ORDER FOR
	)	EXTENSION OF TIME TO SUBMIT
Plaintiff-Intervenor,	)	PROPOSAL REGARDING
	)	DISCOVERY PROCEDURE AND
	)	AGENDA FOR STATUS
v.	)	CONFERENCE, AND TO VACATE
	)	STATUS CONFERENCE OF
WALKER RIVER IRRIGATION DISTRICT,	)	DECEMBER 18, 2019
a corporation, et al.,)	
	)	(First Request)
Defendants.)	

1. Pursuant to the Stipulated Scheduling Order and Discovery Plan (ECF 2437), the United States and Walker River Paiute Tribe, and the Walker River Irrigation District, the Nevada Department of Wildlife, Lyon County, Centennial Livestock, Desert Pearl Farms, LLC, Peri Family Ranch, LLC, Peri & Peri, LLC and Frade Ranches, Inc., The Schroeder Group, California State Agencies (California State Water Resources Control Board, California Department of Fish and Wildlife and the California Department of Parks and Recreation), and Mono County, California (the "Principal Defendants"), and Mineral County and the Walker Lake Working Group were to submit a proposal to the Court on or before December 16, 2019

1 concerning, among things, coordination of discovery, including sharing discovery, scheduling
2 discovery, and other matters related to discovery and concerning matters related to dispositive
3 or partially dispositive motions (the “Discovery/Motion Proposal”).

4
5 2. Pursuant to the Minute Order of August 8, 2019 (ECF 2560), the Court
6 scheduled a Status Conference for December 18, 2019 at 10:00 a.m. to, among other things,
7 issue any orders needed to resolve disputes, if any, concerning the Discovery/Motion Proposal
8 among the parties, and to amend the Scheduling Order accordingly, and further directed the
9 United States to prepare an agenda for that Status Conference to be submitted on or before
10 December 13, 2019.

11 3. The United States and Walker River Tribe and the Principal Defendants have
12 exchanged drafts of Discovery/Motion Proposals, and have conferred and met in-person to
13 attempt to resolve the areas of disagreement between them.

14
15 4. Based upon the parties’ exchange of those drafts and their conference, it is clear
16 that the parties have common ground, but also continue to have significant differences between
17 them concerning the content of the Discovery/Motion Proposal.

18 5. In order to attempt to reach an agreement on some or all of those differences, the
19 United States and Walker River Tribe and the Principal Defendants require additional time to
20 confer among themselves and thereafter with each other, and are of the view that with
21 additional time, they will be able to either resolve, or at least significantly reduce, the
22 differences between them.

23
24 NOW, THEREFORE, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and
25 LR IA6-1, the parties stipulate to extend the time to submit the Discovery/Motion Proposal to
26 January 30, 2020, and respectfully request that the Court vacate the December 18, 2019, Status
27
28

Conference and reschedule it to a date and time which is after January 30, 2020, and which is convenient to the Court and the parties.

Dated: December 12, 2019.

WOODBURN AND WEDGE

U.S. DEPARTMENT OF JUSTICE

By: / s / Gordon H. DePaoli
Gordon H. DePaoli
Nevada Bar No. 195
6100 Neil Road, Suite 500
Reno, Nevada 89511
Attorneys for Walker River Irrigation District

By: / s / Andrew "Guss" Guarino
(per authorization)
A. Guss Guarino, Trial Attorney
Environment and Natural Resources Div.
999 18th Street, Suite 370
Denver, Colorado 80202

MEYER, WALKER, CONDON &
WALKER, P.C.

David L. Negri
Trial Attorney, Natural Resources Section
c/o U.S. Attorney's Office
800 Park Boulevard, Suite 600
Boise, Idaho 83712
Attorneys for United States of America

By: / s / Alice E. Walker
(per authorization)
Alice E. Walker
1007 Pearl Street
Boulder, Colorado 80302

ADVOCATES FOR COMMUNITY &
ENVIRONMENT

LAW OFFICES OF WES WILLIAMS, JR.,
P.C.
Wes Williams, Jr., NSB 6864
3119 Pasture Rd.
P.O. Box 100
Schurz, Nevada 89427
Attorneys for Walker River Paiute Tribe

By: / s / Simeon Herskovits
(per authorization)
Simeon Herskovits, NSB 11155
Iris Thornton
P.O. Box 1075
El Prado, New Mexico 87529
Attorneys for Mineral County

OFFICE OF THE ATTORNEY GENERAL
OF CALIFORNIA

BEST BEST & KRIEGER

By: / s / Nhu Q. Nguyen
(per authorization)
Nhu Q. Nguyen, NSB 7844
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, California 94244-2550
Attorneys for California State Agencies

By: / s / Roderick E. Walston
(per authorization)
Roderick E. Walston
2001 N. Main Street, Suite 390
Walnut Creek, California 94596
Jerry Snyder, NSB 6830
429 W. Plumb Lane
Reno, Nevada 89509
Attorneys for Lyon County

STATE OF NEVADA OFFICE OF THE
ATTORNEY GENERAL

THE COUNTY OF MONO (CA)

By: / s / Tori Sundheim
(per authorization)
Tori Sundheim, NSB 14156
Sr. Deputy Attorney General
100 N. Carson Street
Carson City, Nevada 89701-4717
Attorneys for Nevada Department of Wildlife

By: / s / Jason Canger
(per authorization)
Stacey Simon, County Counsel
Jason Canger
P.O. Box 2415A
Mammoth Lakes, California 93546-2415
Attorneys for Mono County

SCHROEDER LAW OFFICES, P.C.

SIMONS HALL JOHNSTON PC

By: / s / Therese A. Ure
(per authorization)
Therese A. Ure, NSB 10255
10615 Double R Boulevard, Suite 100
Reno, Nevada 89521
Attorneys for The Schroeder Group

By: / s / Brad M. Johnston
(per authorization)
Brad M. Johnston, NSB 8515
22 State Route 208
Yerington, Nevada 89447
*Attorneys for Desert Pearl Farms, Peri
Family Ranch, LLC, Peri & Peri LLC, and
Frade Ranches*

ORDER

Dated: December ____, 2019. IT IS SO ORDERED.

William G. Cobb
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the____ day of
December, 2019, I electronically filed the foregoing with the Clerk of the Court using the
CM/ECF system, which will send notification of such filing to the parties of record.

/ s / Holly Dewar

Holly Dewar